

I hereby certify that this document and its attachments are being deposited with the U.S. Postal Service, as Express Mail Airbill No. EK498914536US in an envelope addressed to BOX MISSING PARTS, Assistant Commissioner for Patents, Washington, DC 20231 on the date shown below.

Dated: 6/29/01 Signature: *Vicki L. Hudson*  
Vicki L. Hudson

Docket No.: 00119-103-USP  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Erwin Aguayo, et al.

Application No.: 09/804,853

Filed: March 13, 2001

Group Art Unit: 2711

For: VIDEO DATA MANAGEMENT,  
TRANSMISSION, AND CONTROL SYSTEM  
AND METHOD EMPLOYING DISTRIBUTED  
VIDEO SEGMENTS MICROCASTING

Examiner: Not Yet Assigned

RECEIVED

JUL 05 2001

OFFICE OF PETITIONS

PETITION UNDER 37 CFR § 1.47(a)

Commissioner for Patents  
Washington, DC 20231

Dear Sir:

Petitioner hereby petitions the Commissioner to accept the above-identified application without the participation of one of the joint inventors pursuant to 37 CFR § 1.47(a). There are two joint inventors of the invention of the subject application and at least one of the inventors – Erwin Aguayo, Jr. – is available, has filed the subject application, and hereby submits the Declaration being filed herewith on his own behalf and on behalf of the other joint inventor – Angadbir Singh Salwan – who refuses to join in the application by refusing to execute the Declaration. In addition to the Declaration filed concurrently herewith, accompanying the Petition is proof that the nonsigning inventor - Angadbir Singh Salwan – refuses to execute the Declaration. The last known address of the nonsigning inventor - Angadbir Singh Salwan – is stated in the Petition. It is respectfully submitted that the subject application meets the requirements of 37 CFR § 1.47(a) and, therefore, the Petition should be granted.

I. Declaration

In response to the Notice to File Missing Parts of Application – Filing Date Granted mailed April 30, 2001, a Response to Notice to File Missing Parts of Application is being filed concurrently herewith. Accompanying the Response is a Declaration executed by at least one of the inventors – Erwin Aguayo, Jr. -- on his own behalf and on behalf of the other joint inventor – Angadbir Singh Salwan – who refuses to join in the application by refusing to execute the Declaration.

## **II. Proof of Nonsigning Inventor's Refusal to Execute the Declaration**

In addition to the Declaration filed concurrently herewith, accompanying the Petition is proof that the nonsigning inventor - Angadbir Singh Salwan – refuses to execute the Declaration. Copies of correspondence between the undersigned counsel and Mr. Salwan demonstrating that a *bona fide* attempt was made to present a copy of the application papers (including the specification, claims, drawings, and Declaration) to Mr. Salwan and providing proof of Mr. Salwan's refusal to execute the Declaration are attached as Exhibits hereto. The specific correspondence and timeline of the correspondence is as follows:<sup>1</sup>

- Letter (via Federal Express) from M. Zoltick to A. Salwan enclosing application papers and requesting that Mr. Salwan review the application papers and execute the Declaration -- (Exhibit 1) June 8, 2001
- Letter (via facsimile) from A. Salwan to M. Zoltick requesting figures -- (Exhibit 2) June 12, 2001
- Letter (via facsimile) from V. Hudson to A. Salwan enclosing figures -- (Exhibit 3) June 12, 2001
- Letter (via facsimile and U.S. Mail) from A. Salwan to M. Zoltick acknowledging receipt and raising business issues -- (Exhibit 4) June 14, 2001

---

<sup>1</sup> Copies of each of the listed correspondence are attached as Exhibits hereto.

- Letter (via facsimile) from M. Zoltick to A. Salwan acknowledging business issues and again requesting that Mr. Salwan review the application papers and execute the Declaration -- June 18, 2001  
(Exhibit 5)
- Letter (via facsimile) from A. Salwan to M. Zoltick acknowledging receipt and raising business issues -- June 20, 2001  
(Exhibit 6)
- Letter (via facsimile) from M. Zoltick to A. Salwan confirming Mr. Salwan's refusal to sign the Declaration -- June 22, 2001  
(Exhibit 7)

The correspondence submitted with the Petition as Exhibits 1-7 hereto provides the circumstances of the refusal and demonstrates that a *bona fide* attempt was made to present a copy of the application papers (including the specification, claims, drawings, and Declaration) to Mr. Salwan. A declaration also accompanies the Petition.

### **III. Last Known Address of the Nonsigning Inventor**

The last known address of the nonsigning inventor -- Angadbir Singh Salwan -- is as follows:

Angadbir Singh Salwan  
10701 Balantre Lane  
Potomac, MD 20854

### **IV. Conclusion**

In view of the foregoing, Applicant respectfully submits that the subject application meets the requirements of 37 CFR § 1.47(a) and, therefore, the Petition should be granted.

The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper

hereafter filed in this application by this firm) to our Deposit Account No. 50-1734, under Order No. 00119-103-USP. A duplicate copy of this paper is enclosed.

Dated: June 29, 2001

Respectfully submitted,

By 

Martin M. Zoltick

Registration No. 35,745

ZOLTICK TECHNOLOGY LAW GROUP,  
PLLC

21515 Ridgetop Circle, Suite 200

Loudoun Tech Center

Sterling, Virginia 20166

(571) 434-7260

# **EXHIBIT 1**

# Zoltick Technology Law Group, PLLC

*Specializing in Technology &  
Intellectual Property Law*



Martin M. Zoltick, Esq.  
mzoltick@zoltick.com

Loudoun Tech Center  
21515 Ridgetop Circle  
Suite 200  
Sterling, Virginia 20166  
Main No. (571) 434-7260  
Fax No. (571) 434-7264  
[www.zoltick.com](http://www.zoltick.com)

June 8, 2001

VIA FEDERAL EXPRESS

Angadbir Singh Salwan  
10701 Balantre Lane  
Columbia, MD 20854

Re: U.S. Application Serial No.: 09/804,853  
Title: VIDEO DATA MANAGEMENT TRANSMISSION, AND CONTROL  
SYSTEM AND METHOD EMPLOYING DISTRIBUTED VIDEO  
SEGMENTS MICROCASTING  
Our Ref. No.: 00119-103-USP

Dear AB:

In connection with the above-identified patent application filed on behalf of Comnet Media Corporation, the assignee of record, we have now received a Notice to File Missing Parts of Application dated April 30, 2001. The due date for responding to the Notice is June 30, 2001.

In response to the Notice, we will need to file the enclosed Declaration. I prepared the enclosed Declaration for execution by both you and Ernie. Please review the enclosed Declaration and the application as filed with the U.S. Patent and Trademark Office. Please then execute the enclosed declaration where indicated and fax and mail the executed Declaration back to me. It is imperative that I get the executed Declaration back by June 15, 2001 in order to timely file the same with the U.S. Patent and Trademark Office. If I do not hear back from you by June 15, I will have to assume that you refuse to sign the Declaration. I hope that this will not be the case.

Please note there is a continuing duty of disclosure as imposed under U.S. law to disclose all known prior art and other information that may be considered "material to patentability." Please refer to the attached Special Note -- Duty of Disclosure Requirements. Copies of such information must be provided to the U.S. Patent and Trademark Office. Therefore, please send me copies or complete

**You invent. We protect.<sup>SM</sup>**

Angadbir Singh Salwan

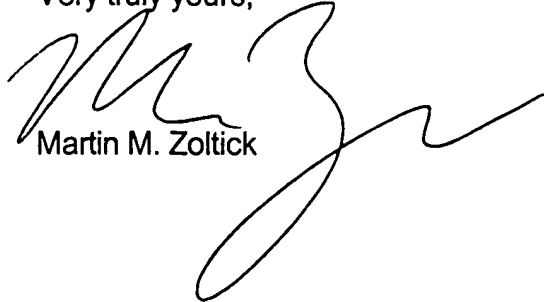
June 8, 2001

Page 2

identifications (including dates of publication) if you have not already done so. We will then file an appropriate Information Disclosure Statement in the U.S. Patent and Trademark Office.

If you have any questions or concerns, please contact me immediately.

Very truly yours,

A handwritten signature in black ink, appearing to be 'M. Zoltick', written over the typed name.

Martin M. Zoltick

Enclosures: As stated.

### **Special Note -- Duty of Disclosure Requirements**

Under U.S. law, each individual associated with the filing and prosecution of a U.S. patent application has a duty of candor and good faith in dealing with the U.S. Patent and Trademark Office (PTO). The duty of candor and good faith includes a duty to disclose to the PTO all information known to that individual to be "material to patentability." Material information includes (1) prior art information, and (2) information which refutes, or is inconsistent with, arguments made to the PTO (37 CFR § 1.56). The duty of disclosure continues until the application issues as a patent. Failure to comply with the duty of disclosure may cause the patent to be unenforceable.

To comply with the duty of disclosure, it is necessary for you to provide us with copies of the following documents and information relating to the invention claimed in the application:

- all prior art patents and publications known to the inventor(s) and/or the assignee(s);
- all documents, including search reports, cited in counterpart applications in other countries, together with any readily available English-language translations of non-English-language documents;
- any documents and publications that subsequently become known to the inventor(s) and/or the assignee(s);
- information regarding sales, uses or public disclosures of the invention or products similar to the invention; and
- information concerning similar developments made by persons other than the inventor(s).

If the relevance of a document is not apparent from the drawings, please provide us with a short statement of its relevance.

The duty of disclosure relates to information concerning all U.S. and foreign patents, patent applications, and publications that involve subject matter similar to the invention claimed in the present case, including, but not limited to, patents and applications that are owned by the inventor(s) and/or the assignee(s). Further, if you are aware of any pending patent applications being handled by another firm, please provide us with copies of any material prior art patents and publications cited in those applications.

#### **IDS Timing Requirements**

Under current PTO regulations, an Information Disclosure Statement (IDS) regarding prior art documents and other information known at the time the application was filed should be submitted to the PTO either (i) within three months of the U.S. filing date, or (ii) before the first Office Action on the merits, whichever is later. Since it is difficult to predict when the first Office Action will be mailed, please send us the information discussed above within two months of the U.S. filing date, if possible.

All references cited in counterpart foreign applications should be forwarded to us for submission to the PTO within two months of their citation by the foreign patent office, to permit us to prepare and timely file an IDS within three months of the citation by the foreign patent office. Likewise, any reference or information which predates the filing of the U.S. application but was not found or noticed until after the application was filed should be forwarded to us within two months after the information is found to permit us to prepare and timely file an appropriate IDS. Failure to meet the foregoing timetables may necessitate payment of U.S. government fees to obtain consideration of the IDS (37 CFR § 1.97).





UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov



APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/804,853	03/13/2001	Erwin Aguayo JR.	00119-103-USP

CONFIRMATION NO. 2554

FORMALITIES LETTER



ZOLTICK TECHNOLOGY LAW GROUP, PLLC  
Martin M. Zoltick  
Loudoun Tech Center  
21515 Ridgetop Circle, Suite 200  
Sterling, VA 20166

Date Mailed: 04/30/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

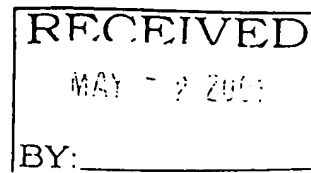
An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



Please type a plus sign (+) inside this box



PTO/SB/01 (10-00)

Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**DECLARATION FOR UTILITY OR  
DESIGN  
PATENT APPLICATION  
(37 CFR 1.63)**

☐ Declaration Submitted with Initial Filing  
OR  
☒ Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

Attorney Docket Number 00119-103-USP

First Named Inventor Erwin Aguayo

**COMPLETE IF KNOWN**

Application Number 09/804,853

Filing Date March 13, 2001

Group Art Unit N/A

Examiner Name Not Yet Assigned



As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**VIDEO DATA MANAGEMENT, TRANSMISSION, AND CONTROL SYSTEM AND METHOD  
EMPLOYING DISTRIBUTED VIDEO SEGMENTS MICROCASTING**

(Title of the invention)

The specification of which

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY) 03/13/2001 as United States Application Number or PCT International

Application No. 09/804,853 and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365 (a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.
60/188,893	03/13/2000	
60/227,126	08/23/2000	

**Declaration for Utility or Design Patent Application**

I hereby certify that this document is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EK498914536US, in an envelope addressed to: Box Missing Parts, Assistant Commissioner of Patents, Washington, DC 20231, on the date shown below.

Dated: \_\_\_\_\_ Signature: \_\_\_\_\_ (Vicki L. Hudson)

Please type a plus sign (+) inside this box



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Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
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## DECLARATION — Utility or Design Patent Application

Direct all correspondence to:

☐

Customer Number or  
Bar Code Label

OR

☒

Correspondence address below

Name	ZOLTICK TECHNOLOGY LAW GROUP, PLLC Martin M. Zoltick				
Address	21515 Ridgetop Circle, Suite 200 Loudoun Tech Center				
City	Sterling	State	VA	ZIP	20166
Country	USA	Telephone	(571) 434-7260	Fax	(571) 434-7264
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.					
NAME OF SOLE OR FIRST INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle (if any))		Erwin		Family Name or Surname	
				Aguayo	
Inventor's Signature				Date	
Columbia		MD		US	
Residence: City		State		Citizenship	
Mailing Address: 6483 Summer Cloud Way					
Columbia		MD		USA	
City		State		Country	
				ZIP 20145	
NAME OF SECOND INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle (if any))		Angadbir Singh		Family Name or Surname	
				Salwan	
Inventor's Signature				Date	
Columbia		MD		US	
Residence: City		State		Citizenship	
Mailing Address: 10701 Balantre Lane					
Columbia		MD		USA	
City		State		Country	
				ZIP 20854	
<input type="checkbox"/> Additional inventors are being named on the _____ Supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.					

## **EXHIBIT 2**



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10701 Balantre Lane, Potomac, MD 20854

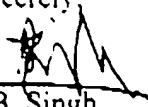
Date: 6/12/00

Dear Marty,

I received your package sent by FedEx, yesterday. Due to oversight, you had written "Columbia" in my address. For future correspondence, please correct it to "Potomac."

You have asked me to review the attached Patent Application. But, you forgot to attach the Figures. Without the figures, I won't be able to review it. Please send all the figures ASAP. Since those files are very large, they will not go through the e-mail. You may have to FedEx another package.

Sincerely,

  
A.B. Singh

## **EXHIBIT 3**

**Zoltick Technology  
Law Group, PLLC**

*Specializing in Technology &  
Intellectual Property Law*

Martin M. Zoltick, Esq.

[mzoltick@zoltick.com](mailto:mzoltick@zoltick.com)

Loudoun Tech Center  
21515 Ridgetop Circle  
Suite 200  
Sterling, Virginia 20166  
Main No. (571) 434-7260  
Fax No. (571) 434-7264  
[www.zoltick.com](http://www.zoltick.com)



June 12, 2001

**Via Facsimile  
Confirmation w/enclosures via Federal Express**

Angadbir Singh Salwan  
10701 Balantre Lane  
Potomac, MD 20854

Re: U.S. Application Serial No.: 09/804,853  
Title: VIDEO DATA MANAGEMENT TRANSMISSION, AND CONTROL  
SYSTEM AND METHOD EMPLOYING DISTRIBUTED VIDEO  
SEGMENTS MICROCASTING  
Our Ref. No.: 00119-103-USP

Dear Mr. Salwan:

Thank you for your facsimile of today. Enclosed are copies of the figures as filed with the application. I apologize for the oversight and the delay this has caused.

Very truly yours,

A handwritten signature in cursive script that reads "Vicki L. Hudson".

Vicki L. Hudson  
Assistant to Martin M. Zoltick

Enclosures: As stated.

**You invent. We protect.<sup>SM</sup>**

# **Zoltick Technology Law Group, PLLC**

*Martin M. Zoltick, Esq.*  
*mzoltick@zoltick.com*

*Specializing in Technology &  
Intellectual Property Law*

Loudoun Tech Center  
21515 Ridgetop Circle  
Suite 200  
Sterling, Virginia 20166  
Main No. (571) 434-7260  
Fax No. (571) 434-7264  
[www.zoltick.com](http://www.zoltick.com)

## **Facsimile**

**To:** Mr. A. B. Salwan

**From:** Vicki Hudson for  
Martin M. Zoltick

**Fax:** 301-299-9489

**Pages:** 2

**Phone:** 301-299-3943

**Date:** June 12, 2001

**Re:** Comnet Media Corporation  
00119-103-USP

**CC:**

**COMMENTS:**

Please call us at (571) 434-7260, if you experience any problems.

### **STATEMENT OF CONFIDENTIALITY**

THE INFORMATION CONTAINED IN THIS FAX IS INTENDED FOR THE EXCLUSIVE USE OF THE ADDRESSEE AND MAY CONTAIN CONFIDENTIAL OR PRIVILEGED INFORMATION. IF YOU ARE NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY FORM OR DISSEMINATION OF THIS COMMUNICATION IS STRICTLY PROHIBITED.

IF THIS FAX WAS SENT IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY PHONE.



## TRANSMISSION VERIFICATION REPORT

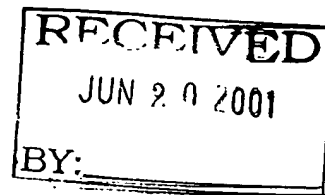
TIME : 06/12/2001 16:37  
NAME : ZOLTICK TECHNOLOGY  
FAX : 5714347264  
TEL : 5714347264

DATE, TIME  
FAX NO./NAME  
DURATION  
PAGE(S)  
RESULT  
MODE

06/12 16:36  
13012999489-00119  
00:01:00  
02  
OK  
STANDARD

## **EXHIBIT 4**

Angadbir Singh Salwan  
10701 Balantre Lane  
Potomac, MD 20854



Date: 6/14/01

Martin M. Zoltick  
(Shareholder of Comnet Media Corp.)  
21515 Ridgetop Circle  
Suite 200  
Sterling, VA 20166

Ref: US Patent Application Serial No.: 09/804,853

Dear Marty,

I have received your letter dated 6/8/01 regarding the above-mentioned application. In response to the same, I would like to bring the following to your attention:

- 1) As per Comnet Media's stockholder agreement, Comnet is required to pay a monthly salary of \$20,833.33 to me as the CTO of the company, (from Jan 28<sup>th</sup> 2000 to March 12<sup>th</sup> 2001). So far, Comnet has not paid me anything. The company owes a total of \$281,250 dollars to me.
- 2) Comnet is also required to pay my travel and other business related expenses (approx. \$8,000) for the same period.
- 3) I am also a 28% owner of Comnet's common stock. At the time of termination of my employment, I am supposed to sell my stocks to Comnet at a price mutually agreeable to both parties. No action has been taken by Comnet to complete that transaction.

As you know, unless Comnet pays for my services, all the design work done by me during this period, including all intellectual property related to DVSM technology, belongs to me. Therefore, if Comnet wants me to take any further action, please send the payments ASAP, and resolve the issue of Comnet Stocks.

Please note, that since I am no longer an employee of Comnet, for any work that Comnet wants me to do in reference to the patent application, the company will have to pay \$250/hour for my time.

Since the deadline for the application is 6/30/2001, I expect an early action on part of Comnet Media.

Sincerely,

A handwritten signature of A. B. Singh, written in black ink, with a horizontal line underneath it.

A. B. Singh

## **EXHIBIT 5**

# Zoltick Technology Law Group, PLLC

*Specializing in Technology &  
Intellectual Property Law*

Loudoun Tech Center  
21515 Ridgeway Circle  
Suite 200  
Sterling, Virginia 20166  
Main No. (571) 434-7260  
Fax No. (571) 434-7264  
[www.zoltick.com](http://www.zoltick.com)

Martin M. Zoltick, Esq.  
[mzoltick@zoltick.com](mailto:mzoltick@zoltick.com)

June 18, 2001

## VIA FACSIMILE

Angadbir Singh Salwan  
10701 Balantre Lane  
Potomac, MD 20854

Re: U.S. Application Serial No.: 09/804,853  
Title: VIDEO DATA MANAGEMENT TRANSMISSION, AND CONTROL  
SYSTEM AND METHOD EMPLOYING DISTRIBUTED VIDEO  
SEGMENTS MICROCASTING  
Our Ref. No.: 00119-103-USP

Dear AB:

This letter is in response to your letter of June 14, 2001 regarding our response to the Notice to File Missing Parts of Application due June 30, 2001 and request that you execute the Declaration enclosed with my letter to you of June 8, 2001.

I acknowledge the issues you have raised in your letter regarding Comnet Media and your salary and stock, and I understand that Ernie will respond to you directly on those issues. I also want to confirm, just so you are clear, that I do not now and never have represented you as an individual, and have not represented you in your capacity as CTO for Comnet Media since your relationship with Comnet Media was terminated. I was retained and continue to be retained, by Comnet Media to prepare and prosecute the above-identified patent application.

Notwithstanding the issues you raise in your letter, you are a joint inventor with Ernie of the inventions disclosed and claimed in the above-identified patent application, which inventions and application were assigned to Comnet Media pursuant to Assignments dated November 1, 2000, and, pursuant to the applicable Rules and Regulations of the U.S. Patent and Trademark Office, a Declaration must be filed in connection with this application. Accordingly, this letter will serve as Comnet's final request for you to execute the attached Declaration and fax and mail the executed Declaration back to me. If I do not receive the executed Declaration back by June

**You invent. We protect.<sup>SM</sup>**

Angadbir Singh Salwan

June 18, 2001

Page 2

**20, 2001, I will assume that you refuse to sign the Declaration and we will proceed accordingly.**

If you have any questions or concerns, please contact me immediately.

Very truly yours,



Martin M. Zoltick

MMZ/vlh

Enclosures: As stated.

cc: Erwin Aguayo, Jr. (via facsimile w/out enclosure)  
James E. Meyers, Esq. (via facsimile w/out enclosure)

Please type a plus sign (+) inside this box

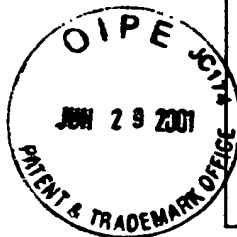


PTO/SB/01 (10-00)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.



**DECLARATION FOR UTILITY OR  
DESIGN  
PATENT APPLICATION  
(37 CFR 1.63)**

☐ Declaration Submitted with Initial Filing OR ☒ Declaration Submitted after initial Filing (surcharge (37 CFR 1.16 (e)) required)

Attorney Docket Number	00119-103-USP
First Named Inventor	Erwin Aguayo
<b>COMPLETE IF KNOWN</b>	
Application Number	09/804,853
Filing Date	March 13, 2001
Group Art Unit	N/A
Examiner Name	Not Yet Assigned

**As a below named inventor, I hereby declare that:**

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**VIDEO DATA MANAGEMENT, TRANSMISSION, AND CONTROL SYSTEM AND METHOD  
EMPLOYING DISTRIBUTED VIDEO SEGMENTS MICROCASTING**

(Title of the Invention)

The specification of which

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY) **03/13/2001** as United States Application Number or PCT International

Application No. **09/804,853** and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365 (a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.
60/188,893	03/13/2000	
60/227,126	08/23/2000	

**Declaration for Utility or Design Patent Application**

I hereby certify that this document is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EK498914536US, in an envelope addressed to: Box Missing Parts, Assistant Commissioner of Patents, Washington, DC 20231, on the date shown below.

Dated: \_\_\_\_\_ Signature: \_\_\_\_\_ (Vicki L. Hudson)

Please type a plus sign (+) inside this box



PTO/SB/01 (10-00)  
Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

## DECLARATION — Utility or Design Patent Application

Direct all correspondence to:

☐

Customer Number or  
Bar Code Label

OR

☒

Correspondence address below

Name	ZOLTICK TECHNOLOGY LAW GROUP, PLLC Martin M. Zoltick				
Address	21515 Ridgetop Circle, Suite 200 Loudoun Tech Center				
City	Sterling	State	VA	ZIP	20166
Country	USA	Telephone	(571) 434-7260	Fax	(571) 434-7264
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.					
NAME OF SOLE OR FIRST INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle (if any))		Erwin		Family Name or Surname	
				Aguayo	
Inventor's Signature				Date	
Columbia		MD			US
Residence: City		State	Country	Citizenship	
Mailing Address: 6483 Summer Cloud Way					
Columbia		MD	20145	USA	
City		State	ZIP	Country	
NAME OF SECOND INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle (if any))		Angadbir Singh		Family Name or Surname	
				Salwan	
Inventor's Signature				Date	
Potomac		MD			US
Residence: City		State	Country	Citizenship	
Mailing Address: 10701 Balantre Lane					
Potomac		MD	20854	USA	
City		State	ZIP	Country	
<input type="checkbox"/> Additional inventors are being named on the _____ Supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.					



**Zoltick Technology  
Law Group, PLLC**

*Martin M. Zoltick, Esq.*  
*mzoltick@zoltick.com*

*Specializing in Technology &  
Intellectual Property Law*

Loudoun Tech Center  
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Suite 200  
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[www.zoltick.com](http://www.zoltick.com)

# Facsimile

**To:** Mr. A. B. Salwan

**From:** Martin M. Zoltick

**Fax:** 301-299-9489

**Pages:** 5

**Phone:** 301-299-3943

**Date:** June 18, 2001

**Re:** Comnet Media Corporation  
00119-103-USP

**CC:**

**COMMENTS:**

Please call us at (571) 434-7260, if you experience any problems.

## STATEMENT OF CONFIDENTIALITY

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IF THIS FAX WAS SENT IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY PHONE.

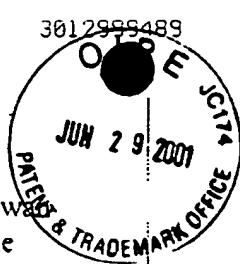
TRANSMISSION VERIFICATION REPORT

TIME : 01/05/1996 18:14  
NAME : ZOLTICK TECHNOLOGY  
FAX : 5714347264  
TEL : 5714347264

DATE, TIME  
FAX NO./NAME  
DURATION  
PAGE(S)  
RESULT  
MODE

01/05 18:11  
13012999489-00119  
00:02:49  
05  
OK  
STANDARD

## **EXHIBIT 6**



Angadbir Singh Salwan  
10701 Balantre Lane  
Potomac, MD 20854

Date: 6/20/2001

Martin Zoltick  
(Shareholder of Comnet Media Corp.)  
21515 Ridgetop Circle  
Suite 200  
Sterling, VA 20166

Ref: US Patent Application Serial No. : 09/804,853

Dear Marty,

Received your fax dated 6/18/01. From both of your letters, it appears that Comnet Media is more interested in getting a "refusal to sign" from me than actually moving forward with the patent application. As mentioned in both of your letters, you first assign a deadline, and then impose on me that if you don't hear from me, you will assume that I refuse to sign. Let me make it clear to you, as well as your other partners at Comnet Media, that by making such assumptions, the facts will not change. I am not refusing to sign.

As mentioned in my previous letter dated 6/14/2001, reviewing the Patent Application and related documents will take me some time. After a brief review, I have estimated that it will take at least 40 hours of my time. I am still waiting for my payment of \$281,250 from Comnet Media. If you all are serious, please send the payment ASAP before the deadline. The delay is on your part, not mine.

Sincerely,

A.B. Singh

## **EXHIBIT 7**

# Zoltick Technology Law Group, PLLC

*Specializing in Technology &  
Intellectual Property Law*

Martin M. Zoltick, Esq.  
mzoltick@zoltick.com



June 22, 2001

VIA FACSIMILE

Loudoun Tech Center  
21515 Ridgeway Circle  
Suite 200  
Sterling, Virginia 20166  
Main No. (571) 434-7260  
Fax No. (571) 434-7264  
[www.zoltick.com](http://www.zoltick.com)

Angadbir Singh Salwan  
10701 Balantre Lane  
Potomac, MD 20854

Re: U.S. Application Serial No.: 09/804,853  
Title: VIDEO DATA MANAGEMENT TRANSMISSION, AND CONTROL  
SYSTEM AND METHOD EMPLOYING DISTRIBUTED VIDEO  
SEGMENTS MICROCASTING  
Our Ref. No.: 00119-103-USP

Dear AB:

This letter is in response to your facsimile letter to me of June 20, 2001 regarding our response to the Notice to File Missing Parts of Application due June 30, 2001 and request that you execute the Declaration forwarded to you.

Regardless of your indication in your letter that you are "not refusing to sign [the declaration]," the fact remains that you have not signed the declaration. Further, you indicate that you will not do so unless you are paid \$281,250 from Comnet Media (asserted to be owed to you) before the June 30, 2001 due date, which I know Ernie has advised you is an impossibility.

Your position is clear, and we will proceed accordingly.

Very truly yours,

A handwritten signature in black ink, appearing to read "M. Zoltick".

Martin M. Zoltick

MMZ/vlh

cc: Erwin Aguayo, Jr. (via facsimile)  
James E. Meyers, Esq. (via facsimile)

**You invent. We protect.<sup>SM</sup>**

# **Zoltick Technology Law Group, PLLC**

*Martin M. Zoltick, Esq.*  
*mzoltick@zoltick.com*

*Specializing in Technology &  
Intellectual Property Law*

Loudoun Tech Center  
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Suite 200  
Sterling, Virginia 20166  
Main No. (571) 434-7260  
Fax No. (571) 434-7264  
[www.zoltick.com](http://www.zoltick.com)

## **Facsimile**

**To:** Mr. A. B. Salwan

**From:** Martin M. Zoltick

**Fax:** 301-299-9489

**Pages:** 2

**Phone:** 301-299-3943

**Date:** June 22, 2001

**Re:** Comnet Media Corporation  
00119-103-USP

**CC:** Erwing Aguayo, Jr.  
James E. Meyers, Esq.

**COMMENTS:**

---

Please call us at (571) 434-7260, if you experience any problems.

### **STATEMENT OF CONFIDENTIALITY**

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IF THIS FAX WAS SENT IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY PHONE.

## TRANSMISSION VERIFICATION REPORT

TIME : 01/09/1996 14:17  
NAME : ZOLTICK TECHNOLOGY  
FAX : 5714347264  
TEL : 5714347264

DATE, TIME	01/09 14:15
FAX NO./NAME	13012999489-00119
DURATION	00:01:03
PAGE(S)	02
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MODE	STANDARD